

**CHILD PROTECTION ACCOUNTABILITY COMMISSION**  
**April 12, 2006**  
**CARVEL STATE OFFICE BUILDING, 820 N. FRENCH STREET**  
**GOVERNOR'S CONFERENCE ROOM**

Those in attendance:

Members of the Commission:

Statutory Role:

Jennifer Barber Ranji, Esq., Outgoing Chair	Child Protection Community 16 <u>Del. C.</u> § 912 (a)(10)
C. Malcolm Cochran, IV, Esq., New Chair	Child Protection Community 16 <u>Del. C.</u> § 912 (a)(10)
Susan Cycyk	Dir., Div. of Child Mental Health 16 <u>Del. C.</u> §912(a)(9)
Peter Feliceangeli, Esq.	Attorney General's Office 16 <u>Del. C.</u> §912 (a)(3)
Sergeant Randy Fisher	Child Protection Comm. 16 <u>Del. C.</u> §912(a)(10)
(proxy for Col. Macleish)	
Carlyse A. Giddins	Dir., of Div. of Family Servs. 16 <u>Del. C.</u> §912 (a)(2)
Sergeant Phil Hill	Child Protection Comm. 16 <u>Del. C.</u> §912(a)(10)
(proxy for Col. McAllister)	
The Honorable Chandlee J. Kuhn	Family Court 16 <u>Del. C.</u> §912(a)(4)
The Honorable Jennifer Mayo	Family Court 16 <u>Del. C.</u> §912(a)(4)
Janice Mink	Child Protection Comm. 16 <u>Del. C.</u> §912 (a)(10)
Joanne Miro (proxy for Sec. Woodruff)	Dept. of Education 16 <u>Del. C.</u> §912 (a)(8)
Mary Ball Morton (proxy for Sec. DeSantis)	Children's Department 16 <u>Del. C.</u> §912(a)(1)
Julia Pearce	Child Placement Review Board 16 <u>Del. C.</u> §912 (a)(7)
(proxy for William Murray)	

Staff:

Tania M. Culley, Esq.  
Lorin H. Hurst, Esq.  
Anne Pedrick

Executive Director

Guests:

Candace Charkow  
Karen DeRasmo  
Molly Dunson  
Mary Lou Edgar  
Islanda Finamore  
Corie Guberman

Mariann Kenville-Moore  
Laura Miles  
Carie Riley  
Karen Weldin Stewart  
Joseph Smack

I. Welcome/Introductions

Jennifer Ranji welcomed everyone to the meeting and reported that she had testified before the Joint Finance Committee ("JFC") on CPAC's behalf regarding the need for New Castle County ("NCC") group homes and the Division of Family Services ("DFS") deficit. Ms. Ranji then told the group that the Governor's office had selected C. Malcolm ("Mike") Cochran, IV,

Esq., as the new chair. Mr. Cochran told the Commission that he was impressed with the work they have done as well as the volume and that he is excited about being involved.

## II. Approval of Minutes

The minutes of the January 11, 2006 regular meeting and the February 28, 2006 special meeting to review the annual report were approved without any changes.

## III. New Business

### A. Status of New Chair

Mike Cochran has been selected as the new CPAC Chair.

### B. Status of Interagency Committee on Adoption (“IACOA”) Representative

Tania Culley reported that she received Merrijane Pierce’s letter of resignation. Mary Lou Edgar has been proposed as her replacement. Although her qualifications have been forwarded to Ms. Culley, who noted that Ms. Edgar has been on CPAC before, Ms. Culley will need additional information from the IACOA before Ms. Edgar’s information can be forwarded to the Governor for appointment.

### C. Judiciary’s Ancillary Agency Proposal

Tania Culley reported that she attended the Judiciary presentation before JFC and she learned from the Chief Justice’s remarks that the judicial branch is considering removing all ancillary agencies (Violent Crimes Compensation Board, Child Placement Review Board (“CPRB”), Office of the Child Advocate (“OCA”), Office the Public Guardian, Educational Surrogate Parent Program), Child Death, Near Death and Still Birth Commission (“CDNDSC”) from the judicial branch. Each of these agencies has scheduled meetings with the Administrative Office of the Courts (“AOC”) to discuss this development.

Ms. Culley noted that the initial proposal given to JFC had some critical errors in it and made some recommendations that impact CPAC. Three options have been proposed for relocation of the ancillary agencies in departments other than the judiciary:

1. Relocate the agencies to within the Department of State.
2. Relocate the agencies to within the Legislative branch.
3. Separate CPAC and OCA, relocate CPAC and the advocacy aspect of OCA into the Department of State and relocate the guardian ad litem function of OCA to within Department of Services for Children, Youth and their Families (“DSCYF”).

It was noted that the third option impacts CPAC the most. If CPAC were to be separated from OCA, it would need its own budget and its own staff since currently, OCA is statutorily obligated to provide staff to CPAC and funds CPAC expenses out of the OCA budget.

OCA will be responding to the AOC request for input but CPAC has the opportunity to respond as well. Ms. Culley noted that OCA would prefer to remain within the judiciary because it is a neutral location.

Janice Mink pointed out that to split CPAC and OCA would require legislation and more money and noted that it does not make sense to split the two because of the reasons that OCA was created. Ms. Mink also pointed out how difficult it was to find a place for OCA in the first place.

Ms. Ranji noted that this situation provided a good basis for discussion as to whether things are currently structured the best way they can be, noting that OCA has an enormous job by itself and as functioning as staff to CPAC. She raised the question of whether CPAC should have its own staff. Mike Cochran mentioned the amount of work that CPAC performs and noted that there have been things that have come up that CPAC has not been able to address because it does not have staff. He further noted that OCA's resources are already being utilized to the maximum.

Ms. Ranji suggested that there should be a long term discussion of these issues and that it is not necessarily something that should be done now but that these larger issues should be considered. There was discussion regarding whether CPAC should ask for more time to consider the issue so as to use this as an opportunity to maximize CPAC's ability to perform its function or whether a decision need to be made now as CPAC would not want to lose the opportunity to have a say in where it will go. There was some discussion of looking at what other states do in terms of structure. Ms. Culley noted that she will be meeting with Pat Griffin on April 25 and in preparation for that, OCA needs to craft its own response; within that, she can say that CPAC needs more time to consider its long and short term goals.

Chief Judge Kuhn explained, noting that she did not want to speak for Ms. Griffin or Chief Justice Steele, that the concept behind the move is that these agencies do not perform judicial functions and that there are some legitimate conflicts with such groups being housed within the judiciary. Specifically, Chief Judge Kuhn mentioned there are budgetary issues as well as concerns about having agencies involved in advocacy housed within the judicial branch. Another consideration is that when the judiciary puts together its budget, these agencies are included in that budget but are not truly within the judicial branch. She added that her sense of timing from talking with the Chief Justice is that the issue is not urgent, but something the judicial branch is seeking to resolve. Further, she believes the Chief Justice is trying to start a dialogue about the issues. Moreover, Chief Judge Kuhn shared, with OCA being overburdened with CPAC, if the dialogue moves forward, it is a good opportunity for CPAC to look to stand alone with its own staff. She pointed out that in her view, OCA has grown so much and CPAC has grown so much that it makes sense for CPAC to have its own staff.

Ms. Culley pointed out that consideration needs to be given to why the agencies were put within the judiciary in the first place. To her, the only logical place for many of the agencies,

including OCA, other than the judiciary, is within the legislature, but that there is no infrastructure in that branch to support a watchdog agency; it is a huge fiscal issue which almost makes it impossible.

Ms. Giddins suggested that CPAC should present what is logical and attach a fiscal note so that people would understand the reality of the situation. She suggested a dual approach—take more time and make a proposal for the long term but also develop a position in the event this has to be resolved immediately.

Chief Judge Kuhn suggested that either she or Mr. Cochran call the Chief Justice to inquire as to whether any decisions have been made. If not, then CPAC can evaluate the situation and determine the best way to proceed.

It was agreed that if this needs to be resolved before the end of the fiscal year, then the Commission would revisit the issue at the May 24 legislative meeting. If not, CPAC will address the issue in the next year.

#### D. Mixing Law

Ms. Giddins distributed Title 10, section 1009 and informed the group that this law was passed in 1987. She noted that while she does not disagree with the intent of the mixing law and recognizes the need to keep children safe, DFS staff has recognized a number of problems in complying with it as a result of policy changes. Now, DFS is responsible for placement of all kids within DSCYF, including those who have completed treatment in Youth Rehabilitative Services (“YRS”) or Child Mental Health (“CMH”). As a result, there are a number of kids for whom DFS must find appropriate placements. With the volume of kids needing to be placed and the lack of resources, there are times in the middle of the night when kids come into care and DFS has to make placement decisions at that point in time.

DFS is most concerned about Level I offenses of those youth with felony charges. As the law is written, for a child with a Level I offense, DFS needs judicial approval prior to placing that child. Practically, this is nearly impossible to accomplish. Accordingly, Ms. Giddins is asking the CPAC Legislative Subcommittee to look at whether the current statute can be updated. She explained that the language of the statute is not consistent with the language that is used today in describing juvenile offenses. DFS does not want to be out of compliance with the law but the reality of the situation is that there are times when DFS will be out of compliance. She therefore wants to see the law changed to give DFS the flexibility to make placement decisions and then follow up with a judicial officer the next business day. In her view, this proposal acknowledges that these difficult situations will arise.

Ms. Ranji recognized that certain policy decisions have resulted in DFS having to place kids for whom they did not previously have responsibility but cautions against CPAC being put in a position of going forward with something for the sake of protecting DFS when that may not be the best solution for kids. Rather, CPAC should be focusing on whether there are better foster care options or better placement options if that is the real issue.

Tania Culley pointed out that CPAC has been tracking policies 201 and 209 for the impact each is having on kids. Mary Ball Morton added that Gaye Falkowski has statistics if CPAC would like to see data on this issue.

Julia Pearce asked the group to make sure that Joe Del'ollo or his representative participates in any changes to the statute since he was very involved when the current statute was drafted. Additionally, it was suggested that Senator McDowell be involved as well.

Ultimately, it was agreed that if CPAC moves forward, adequate time should be devoted to this issue and that it should not be rushed through so that it can be accomplished this legislative session. Instead, there should be some exploration of other laws around the country to ensure that whatever is done is in the best interest of kids. For now, the issue will be referred to the Legislative Subcommittee.

#### E. Changes to DFS Statistics to CPAC

Ms. Culley reported that DFS and OCA have been working to simplify and improve the package that is presented to CPAC. What is being proposed is that the second half of the statistics that has the staffing complement information would instead be incorporated into the first set of charts. Instead, the statistics would have a chart showing overall numbers state wide and would show turnover and movement for each region. If the Commission approves the changes, members will no longer see the bar graph reflecting the number of positions and fully functioning persons. Instead, what would be more helpful to CPAC is the numbers for fully functioning workers. DFS supports the change. Ms. Mink asked that one title be changed to say "Cases With Fully Functioning Workers" instead of "Fully Functioning Cases" as she believes that label more accurately describes what the numbers reflect. Ms. Giddins explained that a non fully functioning employee is a casual/seasonal employee, a trainee or a new hire. Ms. Miles noted that DFS will adjust its reports as the Commission supports and use the same format for Senate Bill 265 reporting as well.

#### F. Interstate Compact on the Placement of Children ("ICPC")

Mary Ball Morton informed the group that there is a new draft interstate compact. Currently, there is proposed legislation that the American Public Human Service Administration ("APHSA") has drafted and they are committed to working with states to see that legislation is passed. In order for the new ICPC to be used, it has to be enacted by 35 states. At present, 35 states including DE have had positive reactions to the draft legislation. Ms. Morton thanked the Commission for the comments generated previously and related that a number of CPAC's comments were helpful in getting changes made to the earlier draft. When people within the Department reviewed the final version, it was noted that areas CPAC was concerned about have been addressed. Ms. Morton further related that she feels comfortable that this is the best draft we will get and that there is nothing in it that is harmful to children.

On behalf of Secretary DeSantis, Ms. Morton asked that CPAC consider championing the legislation and related the Secretary's wish for Delaware to be the first state to pass it. The Department has begun discussions with the Governor's office about drafting the legislation for

Delaware and the Secretary is asking that it be put first on CPAC's legislative agenda. All that currently exists is the revised ICPC from APHSA. Legislation to make this a part of Delaware law needs to be drafted and CPAC will need to review that plus any fiscal note that would accompany it when such information is available. Ms. Culley asked that any draft legislation go to the Legislative Subcommittee and hopefully that subcommittee can make recommendations at the May 24 meeting. Ms. Morton offered to be involved in the subcommittee discussions.

Ms. Morton further noted that the revised Interstate Compact on Juveniles ("ICJ") legislation passed quickly once it was introduced into the legislature. She added that the legislature understands compacts and reciprocity and thinks the legislation will move quickly once introduced.

It was noted that CPAC needs to be concerned with fiscal issues—there is currently no fiscal note and no fees addressed. Additionally, the revised ICPC allows Delaware to be sued by other states (same as the ICJ).

Ms. Culley raised the concern that CPAC has been pushing for foster care placements and the Commission will have to decide what is a priority.

This matter was referred to the Legislative Subcommittee.

#### IV. Special Committee Reports

##### A. Abuse Intervention Committee ("AIC")

Mariann Kenville-Moore reported that the next Finding Words training begins on May 8. The first training of 40 people was a big success. The May training will be the first one with the Delaware faculty doing the training.

Ms. Kenville-Moore also reported on the Memorandum of Understanding ("MOU") with the Department of Education ("DOE"). There have been a few meetings which have included representation from various districts.

Additionally, Ms. Kenville-Moore reported on the DFS-Department of Justice ("DOJ") MOU. The most recent issue that has arisen is confusion over institutional abuse issues. She believes that questions surrounding that issue have been resolved and the group is again moving forward to send the draft out for formal comment. Ms. Kenville-Moore reported that the MOU will be done by November.

Ms. Kenville-Moore also told the Commission about the Children's Justice Act Grant which was received through the United States Department of Justice. The grant is supposed to focus on improving the multi-disciplinary response to the investigation of child abuse. Pursuant to the grant, an assessment must be done every 3 years. AIC decided rather than conduct a formal assessment, it will take information from last year's strategic planning, send out surveys to partners state wide and put an assessment together for the June meeting. Although it is a small amount of money, the group has been able to do a lot with it; currently, the money is being used to fund Finding Words.

A few years ago, AIC developed the concept of a Training Consortium. Recently, the group has arranged to share the results of the training consortium with the CPAC Training Subcommittee who will continue the project going forward rather than AIC.

Ms. Kenville-Moore related that one concern of the Medical Education Subcommittee is that pediatricians and family practice doctors are not familiar with the reporting and identification of abuse and neglect and are not aware of the resources that are available. She noted that states around the country have developed models for how to improve this so the subcommittee will research ways to reach the medical community in Delaware that sees these kids. Ms. Cycyk noted that pediatricians prescribe most of the psychotropic medications to kids and that CMH is involved in trying to educate pediatricians on how to use the mental health system and properly diagnose kids. She suggested that some coordination with the Medical Education Subcommittee would be helpful and mentioned the idea of offering lunch time presentations to doctor's offices, noting that some training is covered by the Medicaid office that sends doctors out to train other doctors.

The next meeting of the AIC is June 2 at 9:30 at the Appoquinimink State Service Center.

#### B. CPAC Adoption and Safe Families Act ("ASFA") Timelines Subcommittee

Commissioner Mayo reported that the group has compiled the files from Kent and Sussex counties for 2002-2004 into an excel spreadsheet. Commissioner Mayo is almost done reviewing the NCC cases for 2002. The group is looking at 8 different factors. Previously the group had hoped to track 15 variables but has discovered that there are some that cannot be tracked. Of those variables, 6 are related to timelines; the 7<sup>th</sup> is compliance per year, per county and per judge; the 8<sup>th</sup> is a breakdown of whether each child had a guardian ad litem, Court Appointed Special Advocate ("CASA") or no representation. Commissioner Mayo noted that it has taken a lot of work but thinks the numbers will be surprising. She reported that in the next two weeks the subcommittee hopes to know how compliant the court is with meeting certain timelines based on the data that has been collected.

Commissioner Mayo also reported that the group is contacting a couple of states that have computer systems that track these issues to learn how they do it, where they got the program they use, and which organization in that state runs the program. The group hopes to have answers for prospectively culling the data in the next couple of months.

#### C. CPAC Educational Needs of Foster Children Subcommittee

Ms. Culley reported that the subcommittee has been in existence for 2 years and its three primary focuses going forward are: the new DFS DOE MOU; ongoing training in the schools; and the alternative schools. Ms. Culley noted that there are issues that are already being addressed by other groups so what she wants to suggest at the next subcommittee meeting is that the group take a hiatus and ask that a representative for that subcommittee be allowed to participate in the work being done on the DFS DOE MOU. She mentioned that Judge Crowell might be the best person to do that. Ms. Culley told the Commission that she had been appointed to a newly created task force on

alternative schools. Finally, a member of the CPAC Training Subcommittee also sits on the Educational Needs Subcommittee. She asked the Commission for input. Ms. Giddins supported Ms. Culley's recommendation noting it would allow for a broader look at training. Mr. Cochran suggested that going forward, the Alternative Education Task Force be put on the CPAC Meeting Agenda rather than the Educational Needs of Foster Children Subcommittee.

Ms. Culley agreed to give reports on the task force at future meetings and would speak with Judge Crowell. Additionally, Ms. Culley and Ms. Kenville-Moore agreed to coordinate to see if the subcommittee and the AIC could partner to address some of the issues raised.

The next subcommittee meeting is April 21.

#### D. CPAC Extended Jurisdiction Subcommittee

Julia Pearce reported that the group has done a comprehensive review of the issue and that there are strong arguments on each side. The group hopes to have its discussion wrapped up at the next meeting. Ms. Pearce reported that she has drafted a document to reflect what the group has done and will have a lot of information to share at the next CPAC meeting.

Chief Judge Kuhn told the group that her Judges are frustrated that the issue has not come to CPAC yet. She said the Family Court judges feel very strongly about it and know there are real fiscal issues. She stressed the importance of putting the issue before the Commission as soon as possible and not waiting until the July meeting. Following discussion it was agreed that the issue will be presented at the May 24 CPAC meeting. Commissioner Mayo asked that a memo on the issue be distributed before the May 24 meeting.

The next subcommittee meeting is April 24 at University Plaza.

#### E. Foster Care

Janice Mink reported that the foster care system is growing at an alarming rate. There are currently 100 more kids in foster care this year than there were last year, representing a 15% increase in the number of kids in care in one year. Additionally, DFS does not have appropriate placements for challenging youth. Ms. Mink reported on discussions with Mike Kerstetter who runs People's Place who reported that the kids who come there have had on average, 15 placements before being placed there. Moreover, a move to from NCC to People's Place often means removing a child from his/her support system, family, school, community, etc. Ms. Mink also reported that there are 45-50 kids in special placements each month. Some of these placements are appropriate. For example, they are children with special needs, or delinquent adjudications, etc. However, 75% of them (34-38) could stay in their communities if they had group care. The result of having no group home in NCC forces kids to stay in 30 day shelter care longer than 30 days as well as sends NCC kids down state. This further results in a lack of emergency placements since emergency placements are essentially being used as placements. Accordingly, the subcommittee is asking CPAC to ask for funding for group homes in NCC to serve both delinquent and non delinquent beds. A presentation was made to JFC in which it was noted that the increase in special placements has been a contributing factor in



DFS's projected budget deficit of more than \$3 million. At the January meeting, CPAC supported the request for a group home. Ms. Ranji asked JFC for the money to create one. Yet Ms. Culley heard Secretary DeSantis tell JFC that foster care has been reformed. Ms. Culley is very concerned about that statement. The period for JFC mark up is coming so CPAC should do what it can to support creation of a group home. The current proposal contemplates 16 placements to be divided as needed. A motion was made to send a follow up letter to JFC and the motion carried. Ms. Mink will draft a letter for Mr. Cochran's signature.

#### F. Interagency Committee on Adoption

There was no report as the new representative has not yet received a letter of appointment.

#### G. CPAC Legislative Subcommittee/Legislative Workgroup/Subgroups

Lorin Hurst reported that the subcommittee has met once and begun the process of reviewing pending, proposed and draft legislation for this legislative session. She informed the group that there was one piece of legislation proposed since the last subcommittee meeting that she thought CPAC should have the opportunity to address before the May 24 meeting. She then explained House Bill 376 which proposes to permit corporal punishments by school personnel when parental permission has been given. A motion was made for CPAC to send a letter opposing this bill. The motion passed and Ms. Hurst offered to draft a letter for Mr. Cochran's signature.

Commissioner Mayo reported that the subgroups will not have any legislation to submit this session. The definitions workgroup is fairly well along and has some drafts which Commissioner Mayo will forward for comment. She invited anyone with input to attend the next meeting on April 24 at the offices of Community Legal Aid Society, Inc.

Discussions continue in the guardianship/custody subgroup. The group has determined that a Chapter 7B needs to be created and Ms. Culley has agreed to draft it. The group's next meeting is May 3 at the offices of Morris, James, Hitchens and Williams.

#### H. CPAC Mental Health Assessments for Foster Children Subcommittee

Susan Cycyk presented the report on behalf of the group which has met twice since the last CPAC meeting. She also related that Terry Kaiser from the CAC is her new co-chair. She shared that the group is making sure the assessment project gets started and is effective. The group is further tracking whether the kids that are assessed end up receiving the services they appear to need and if those services are having a positive impact on their lives. The assessments began February 1; as of March 28, 43 children were referred in the first 6 weeks of the program. Of those, 11 were receiving what appeared to be appropriate services; 32 were screened, 3 screens have been entirely completed, and 2 children had been accepted by providers. Ms. Cycyk noted that it is working out very well to have the Medicaid provider there because a lot of the children that come into the system are already seen by or have been referred by someone in the Medicaid arena and they need to ensure the systems work well together. Ms. Miles added that they are averaging seven referrals per week and they hope to have some stories to share at the next meeting.

The next meeting is May 3 from 12:00-1:30 at the Offices of DPCI, 252 Chapman Road.

#### I. Near Death

Ms. Culley reported that the subcommittee has completed its review of the second case and that Anne Pedrick has drafted the report. Once Ms. Culley reviews it, it will go to Judge Ableman and then to the entire subcommittee for review and comment. The subcommittee will soon begin the review of the third case.

#### J. Training

Sgt. Fisher reported that the group met on March 17, adopted a mission and discussed extended subcommittee membership to include AIC subcommittee members, Family Court members, representatives of the DOJ, the medical community and the DOE. They have invited Drs. Hann-Deshane and Olivieri to join the group. Additionally, the group reviewed the multidisciplinary recommendations from the joint meeting between CPAC and CDNDSC. The subcommittee believes there should be standardized training offered on a regular basis. A key goal that was identified was to develop a website to link with multiple system partners.

The next two meetings are May 15 and June 26 at 9:30 at the DSCYF offices.

### IV. Agency Reports/Statistics

#### A. Attorney General's Office

Pete Feliceangeli reported that he did not have any statistics. He also reported that one DFS Deputy Attorney General ("DAG") is qualified as an instructor for Finding Words and is participating in the May training. Mr. Feliceangeli further related that there continues to be movement within DFS DAGs. One of the NCC DAGs is transferring to another position in the civil division. An announcement went out internally yesterday and the State Solicitor has promised not to move the current DAG to his new position until his successor is in place.

Ms. Kenville-Moore reported that over the last few months the DOJ has undergone an assessment of its technology needs and has a completed report which reflects that it will cost a lot more than expected to upgrade the current systems. The DOJ will be going to the Legislature asking for their support to fund an internal DOJ case management system. The current one is antiquated and does not provide any significant data or any way of managing or tracking statistics. Ms. Culley noted that a centralized tracking system was a recommendation from the last near death report.

Ms. Kenville-Moore next provided an update on the grant for a Child Abuse and Neglect prosecutor. The proposal has gone through state personnel, a position has been created and interviews are being conducted. It is hoped that the position will be filled before the end of the fiscal year. There has also been an application made for a victims services social worker to work with that prosecutor in NCC. The position has been approved through the first level and will go to the

Criminal Justice Counsel at their May meeting. The social worker would work in Family and Superior Courts and cover all criminal child abuse misdemeanors and felonies.

#### B. Child Placement Review Board (“CPRB”)

Julia Pearce had no statistics as the board maintains that the annual report provides sufficient statistics. She agreed to get Mr. Cochran a copy of the last annual report.

#### C. Children’s Advocacy Center (“CAC”)

Statistics were distributed in everyone’s packets which are attached as Exhibit A.

#### D. Department of Education

Joanne Miro reported that the Children’s Department asked the DOE to rethink the training that DSCYF provides. The law requires DSCYF to provide materials for training in the schools. For the last 10 years, DSCYF has taken it upon themselves to do the training. However, there are 192 schools to present to on an annual basis. A proposal has been made to the MOU committee that DSCYF prepare the materials in greater detail, perhaps by way of a power point presentation and provide videos to the schools so that the schools can do the training themselves at faculty meetings or in service days. The option of a live presentation would remain if that is what the schools wanted. There is also consideration being given to a web based program—Virginia and Florida have such a program—where teachers can go online, take a pretest, listen to and watch training materials and then take a post test. One advantage of this is that it would all be logged so the schools would know who completed the training as currently, when DSCYF does it, more than likely, not everyone who should be in attendance is there and there is no follow up to determine who has been trained and who has not. The ideas were presented to the Secretary of Education who has no problem with the concept but asked that each principal sign off to establish that the material has been presented. Ms. Miro related that all of this will be worked into the MOU.

There was discussion of what effect there would be of losing the presence of DFS in the schools and Ms. Kenville-Moore stated that the MOU designates a liaison. Further discussion ensued regarding coordinating this training development with training for Family Court staff whom DFS has agreed to train on an annual basis. Ms. Miro also reported that Ms. Giddins invited her to present training on the homeless and education at a management meeting.

#### E. Division of Child Mental Health

Ms. Cycyk told the group about the Yale Program which involves CMH, DFS and the Wilmington Police Department (“WPD”) working together. This new project is going well and represents a big change for CMH. As part of the program, police officers are trained in noting, as they investigate cases, what kids are in a situation which may have exposed them to any kind of trauma, whether violent or not. The officers are then to contact CMH who is to respond and try to support the child and the family. The key to the program is that these are kids who are not yet exhibiting symptoms of any disorder. Instead, the focus is on prevention/intervention. Previously,

kids did not get to CMH until there were indications they had serious mental health problems. The idea behind the program is that kids may have problems before they exhibit any symptoms. Ms. Cycyk went on a ride along and saw the project in progress. She said that of 100 kids seen, 61 today are receiving services—these kids otherwise would not have come to the attention of CMH. Additionally, in neighborhoods where violent crime occurs officers are canvassing a 2 block radius asking if there are kids in the home and offering help if needed.

The training is also being offered to other law enforcement agencies. The last of several 3 hour trainings for the NCC Police Department (“NCCPD”) was recently completed. CMH has been contacted by the City of Newark but does not have any training scheduled yet. Finally, they are trying to make the training part of the Delaware State Police (“DSP”) academy. Ms. Cycyk reported that the police are pleased with the program and appreciate the support it offers. The project was funded with money from the federal FACT grant. This money will not be available after August so they have applied for funding through a VOCA grant. There was some discussion of doing a larger presentation on this program at the October CPAC meeting.

Ms. Cycyk distributed statistics which indicate that every program is filled. Every home based service is running at over 100% of capacity. Additional information on CMH statistics is attached as Exhibit B. CMH expects to have additional clients so like DFS, they are running a budget deficit and expect it to continue. She noted that the inpatient length of hospital stay is up—the population is more challenging and they cannot find the placements they would like. On a positive note, however, those kids coming out of the hospital do not appear to be going back in. Instead, they are finding services that allow them to stay in the community.

May is mental health month and there will a program called “Get the Scoop on Mental Health” with Rita’s water ice to raise awareness. May is also drug court month.

Ms. Culley noted that while the placements Ms. Cycyk has been discussing are CMH and not DFS placements, she asked whether CMH staff might participate in the Foster Care Subcommittee to get a better idea of how to get appropriate levels of care which can translate into appropriate placements. Ms. Cycyk agreed to consider the issue to determine which subcommittees would most benefit from CMH participation.

#### F. Division of Family Services

Ms. Giddins told the group that April is National Child Abuse and Neglect month. DFS partnered with Prevent Child Abuse Delaware (“PCAD”) to promote certain initiatives that have aired on local radio stations. The messages ask people to think of the child first and reduce their stressors that may lead to child abuse and neglect. They also encourage reporting of child abuse and neglect. Additionally, DSCYF plans to staff a booth at the Health, Fun and Fitness Fair at the Riverfront on April 22. Finally, Ms. Giddins is taping a segment for Comcast Newsmakers. Finally, the March 31 edition of Delaware tonight focused on foster care reform and featured a panel including Tania Culley and John Bates.

May is National Foster Care month. Governor Minner and a youth in foster care taped a commercial which will air on WMDT in Kent and Sussex counties from this weekend through Mother's Day. The Department has purchased airtime on Comcast in NCC from May 1 through the end of the month. Additionally, on May 5, the Newark Arts Alliance, will showcase artwork from youth in foster care and will plan additional showings of art work at the Biggs Museum in Dover.

On April 1, a celebration recognized foster parents; the celebration included a story teller and presentation of awards to long time service families.

Ms. Giddins next discussed statistics, noting that for the first three quarters of fiscal year 2005, caseworker turnover was 6.3%. DFS expects to finish the year under their goal of 15%.

In spite of the stabilization, 93% of investigation and treatment workers are fully functioning. Ms. Giddins noted treatment workers statewide presented a problem area with 27 of 78 treatment workers over standard. Kent County is a particular problem area with 13 out of 16 treatment workers over standard. To support the workers, DFS has maintained causal/seasonal staff at University Plaza and will continue to do so. Additionally, DFS has invoked SB 265 for Kent County for both investigation and treatment. They have hired two employees, however, one left for a permanent employment opportunity and the other is not trained. As a result, they are interviewing for one position and the other, although on board, is not contributing as yet since that person still needs to be trained. Additionally, DFS offered casual/seasonal positions to 2 former adoption workers in Kent County. One accepted and the other's offer is pending. DFS also hired casual/seasonal support in Sussex County to write social reports for termination of parental rights cases and hired causal/seasonal support statewide to help with social summaries.

Ms. Giddins reported that they continue to fill trainee positions. As of the end of the month they had 2 vacancies out of 15 trainee positions and all permanent full time staff positions are filled.

Ms. Giddins reported that hotline reports for the first three quarters of the fiscal year are up 4%. In Kent County, they have seen a 14% increase which has been attributed to population growth. Ms. Giddins said DFS expects to see an increase in hotline referrals in the teenage population in Sussex County as well as a result of this growth.

Ms. Culley expressed concern about the Kent County treatment numbers noting that there are 106 cases divided among 4 workers, some with 27-28 cases. Ms. Giddins said she was optimistic about the causal/seasonal hires and that DFS was trying to hire trained workers so they can hit the ground running. Additionally, there was one overhire who was supporting investigation while an investigation worker was on leave; once that worker returns, the overhire will support treatment.

Ms. Giddins also mentioned that DFS received a follow up request from the Office of the Controller General regarding the request for a group home in NCC and DFS provided information about the funding that would be necessary to support it.

#### G. Family Court/Court Appointed Special Advocate

CASA statistics were distributed and are attached as Exhibit D.

Chief Judge Kuhn thanked CPAC for its support of the Court receiving 2 additional judges and noted that there is still a Commissioner vacancy.

Regarding the Delaware Girls' Initiative, Chief Judge Kuhn reported that there has been some positive press surrounding the project.

#### H. Law Enforcement

##### New Castle County Police Department ("NCCPD")

NCCPD statistics were included in everyone's packets and can be seen at Exhibit E. Sgt. Hill noted that the Megan's Law detective listed on the statistics is now full time; the detective is taking a proactive approach, going out once or twice a week with probation knocking on doors making sure people are meeting their guidelines, registered at their correct addresses, etc.

Sgt. Hill further noted that half of his detectives have attended Finding Words and have given positive feedback. The 4 other detectives will be assigned to attend the training in May or October.

##### State Police

Sgt. Fisher noted that the Delaware State Police ("DSP") statistics are as of January 12, 2005 and that because of the manner in which the data is collected, DSP will be a quarter behind in reporting statistics. The statistics are attached as Exhibit F. For clarification, Sgt. Fisher explained that "Other Sex Offenses" includes unlawful sexual contact, sexual harassment, etc. and include juvenile on juvenile crimes. The category for simple assault includes incidents with no weapon and no injury but could involve a bruise or a cut. Additionally, incidents are counted by the date they are reported which does not necessarily coincide with the date the incident occurred. Therefore, the statistics potentially include incidents that occurred in prior years but were not reported until 2005.

Mr. Cochran asked why there appear to be more sex offenses in Sussex County and Sgt. Fisher noted that in NCC, NCCPD handle a lot of sex crimes whereas in Sussex county, the DSP handle those cases. Additionally, in Sussex county, DSP is responsible for a larger area because they are the primary police agency in that county. Sgt. Fisher further noted that the NCC numbers do not include the City of Wilmington.

#### I. Office of the Child Advocate

Ms. Culley reported that OCA had no statistics to share as a result of the resignation of the office manager. After two months without someone in that position, OCA has a new office manager—Molly Dunson. Ms. Culley reminded committee and subcommittee chairs to provide Ms. Dunson with meeting notifications so she can post them in accordance with the Freedom of Information Act.

Ms. Culley further told the group that OCA has redone some of its website, including the CPAC page and encouraged everyone to take a look at it.

Ms. Culley echoed the support for Finding Words and noted that Anne Pedrick is also an instructor for the program.

Finally, Ms. Culley reported that for the first time in 6 years, OCA and CASA have a consolidated tracking system for kids in foster care. Based on reports that were run last week, it appears that there are 192 children in the state in foster care who do not have legal representation: 86 in NCC, 46 in Kent County, 60 in Sussex County. These totals represent kids newly entering care as well as those that have been in care. OCA will continue to work with DFS on a monthly basis to make sure these reports match their reports.

#### V. Old Business from 1/11/06 Meeting

##### A. Child Welfare Workloads

Ms. Culley passed around an update from the child welfare workload conference that she, Ms. Mink, Ms. Giddins and Ms. Charkow attended. A survey was done after the conference to see what the states thought about what had come out of the forum. It was concluded that there needs to be federal involvement in setting work loads. Most importantly, at the last meeting, CPAC agreed to reactivate the Caseload/Workload Subcommittee. Ms. Ranji had asked Senator Blevins to chair it but she was unable. Representative Maier has agreed to be the chair and Ms. Culley will be in touch with her to set up the initial meeting; she hopes to get started in the off season for the General Assembly.

##### B. Joint Meeting—CPAC and CDNDSC—5/5/06

The joint meeting between CPAC and CDNDSC will be on May 5 immediately following the CDNDSC meeting. Ms. Culley asked everyone to provide Anne Pedrick with their feedback on the previously issued recommendations.

##### C. CPAC Annual Report

Ms. Culley offered to provide copies to anyone who needed them and asked for feedback.

#### VI. Public Comment

Although there was no public comment, Mariann Kenville-Moore thanked Karen DeRasmo for putting on the recent PCAD conference. Ms. Culley noted that it was one of the best conferences she has ever attended.

#### VII. Adjournment

There being no further discussion, the meeting adjourned at 12:30 p.m. The next meeting will be the annual legislative meeting on May 24, 2006 and may run longer than previously planned because of the additional issues to be discussed.